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Attorneys for Defendant Marlin Moore

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

It is hereby Stipulated by and between Plaintiff United States of America, through its counsel, AUSA Damali Taylor, and Defendants Marlin Moore, Steven McIntosh, Mark Goldberg and Son Dang, through their respective counsel, that the pre-trial hearing currently set for September 21, 2016, at 2:15 p.m., be continued until November 16, 2016, at 2:15 p.m., or until such date and time thereafter as may be convenient for the Court.

Good cause exists for the instant request based on the fact that in response to the Ninth Circuit's recently published opinion on the interlocutory appeal filed by Defendant McIntosh (Ninth Circuit No. 15-10117) the government sought and obtained an extension of time up to and including September 29, 2016, to determine whether it will seek a rehearing before the Ninth Circuit. Because the Ninth Circuit's grant of a

1 rehearing of same, if any is requested, may have a significant impact on a potential
2 resolution of this matter, the parties jointly request that the upcoming Status
3 Conference be continued in order to determine whether the government will seek a
4 rehearing and, if so, whether such a request will be granted.

5 Pursuant to 18 U.S.C. § 3161(h)(7)(A) and (h)(B)(iv), the parties believe that
6 good cause exists to exclude time under the Speedy Trial Act in that the ends of justice
7 served by such exclusion allowing for continuity of counsel, ongoing discovery
8 production and review, and adequate time for both settlement discussions and for trial
9 preparation in this matter following a ruling on the appeal, outweigh the best interest of
the public and the defendants in a speedy trial.

10 SO STIPULATED this 13th day of September 2016.

11 By: _____ //s//
12 Philip Kent Cohen, Esq.
13 Attorney for Defendant Marlin Moore

By: _____ //s//
Marc J. Zilversmit, Esq.
Attorney for Defendant Steve McIntosh

14 By: _____ //s//
15 Randy Sue Pollock, Esq.
16 Attorney for Defendant Mark Goldberg

By: _____ //s//
Galia Amram Phillips, Esq.
Attorney for Defendant Son Dang

17 By: _____ //s//
18 AUSA Damali Taylor
19 Attorney for Plaintiff United States

20 [PROPOSED] ORDER

21 UPON GOOD CAUSE HAVING BEEN SHOWN, the parties' mutual request
22 to continue the Status Conference is hereby GRANTED.

23 The Status Conference in the above matter is continued from September 21,
24 2016, to November 16, 2016, at 2:15 p.m.

25 Dated: September 15, 2016


26 THE HONORABLE MAXINE M. CHESNEY
27 UNITED STATES DISTRICT JUDGE